

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MATTHEW ANDREW GARCES,

Plaintiff,

v.

Case No. 5:25-CV-0604-JKP-HJB

TRACY TORREZ (Operations Clerk,
U.S. District Court), in her individual
capacity, et al.,


Defendants.

ORDER DENYING INJUNCTIVE RELIEF

Before the Court is an Emergency Motion for Temporary Restraining Order and Preliminary Injunction Pursuant to Fed. R. Civ. P. 65 (ECF No. 16). Plaintiff seeks to enjoin the assigned Magistrate Judge from (1) implementing, recommending, or pursuing any vexatious litigant designation against him and (2) taking any substantive action in any case involving Plaintiff. The instant motion is utterly frivolous. While Rule 65 provides a means to enjoin action of adverse parties in litigation, it has no applicability to enjoin action by a Magistrate Judge assigned to the case. This case, furthermore, is currently stayed pending consideration of a recommendation in another case involving Plaintiff.

The Court **DENIES** the motion and **WARNS** Plaintiff that should he persist with abusive or frivolous filings the Court may issue sanctions, up to and including dismissal of this case, requiring a monetary sanction payable to the Court, and/or issuing an appropriate, pre-filing injunction relative to this case or to litigation in the Western District of Texas. **Until the Court lifts the stay in this case, Plaintiff shall refrain from further filings in this case.**

IT IS SO ORDERED this 21st day of July 2025.


JASON PULLIAM
UNITED STATES DISTRICT JUDGE